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Paper No.

Sandra P. Thompson
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Three Embarcadero Center
San Francisco, CA 94111-4067

COPY MAILED

AUG 20 2004

OFFICE OF PETITIONS

In re Application of :
Shyama Mukherjee, Joseph Levert :
and Donald Debear : DECISION ACCORDING STATUS
Application No. 10/715,952 : UNDER 37 CFR 1.47(a)
Filed: November 17, 2003 :
Atty Docket No. 30-4945 DIV -4780 :
Title: VISCOUS PROTECTIVE :
OVERLAYERS FOR PLANARIZATION OF :
INTEGRATED CIRCUITS :

This is a decision on the "PETITION UNDER 37 C.F.R. § 1.47(a)," filed April 19, 2004.

The petition is GRANTED.

The above-identified application was filed on November 17, 2003, without an executed oath or declaration. Accordingly, on February 17, 2004, a "Notice to File Missing Parts of Nonprovisional Application" was mailed, requiring an executed oath or declaration, and a surcharge for its late filing.

In response, rule 47 applicants filed the instant petition (and fee); the late surcharge; and a declaration executed by joint inventor Levert on behalf of himself and on behalf of non-signing joint inventors Mukherjee and Debear. Rule 47 applicant maintains that status under 37 CFR 1.47 is proper because joint inventors Mukherjee and Debear, by their conduct, have refused to join in the application for patent.

By declaration of senior paralegal Kristin Azcona, petitioner has shown that the application papers were presented to the nonsigning inventors, but they did not respond to the request to sign the declaration. The petition includes a statement of the last known addresses of the non-signing inventors.

The declaration filed April 19, 2004, and the petition have been reviewed and found in compliance with 37 CFR 1.47(a).

This application is hereby accorded Rule 1.47(a) status.

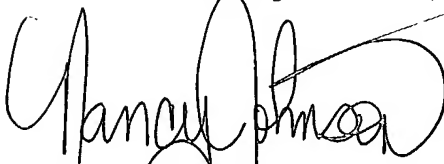
As provided in new Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Application No. 10/715,952

Page 2

The application will be examined in Technology Center 1765 in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0309.

A handwritten signature in black ink, appearing to read "Nancy Johnson". The signature is stylized with large, flowing loops and a long horizontal stroke extending to the right.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions



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SHYAMA MUKHERJEE
2470 PINTO COURT
MORGAN HILL, CA 95037

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In re Application of
Shyama Mukherjee, Joseph Levert
and Donald Debear
Application No. 10/715,952
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Title: VISCOUS PROTECTIVE OVERLAYERS:
FOR PLANARIZATION OF INTEGRATED
CIRCUITS

LETTER

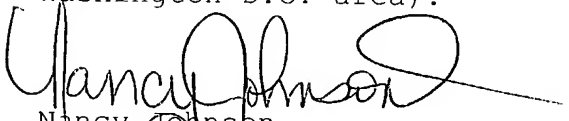
OFFICE OF PETITIONS

Dear Inventor Mukherjee:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63. However, no action on your part is required for this patent to issue with you as a named inventor.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Nancy Johnson at (703) 305-0309. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).


Nancy Johnson
Senior Petitions Attorney
Office of Petitions

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DONALD DEBEAR
528 DOWNING AVENUE
SAN JOSE, CA 95128

In re Application of :
Shyama Mukherjee, Joseph Levert :
and Donald Debear : LETTER
Application No. 10/715,952 :
Filed: November 17, 2003 :
Atty Docket No. 30-4945 DIV -4780 :
Title: VISCOUS PROTECTIVE OVERLAYERS :
FOR PLANARIZATION OF INTEGRATED :
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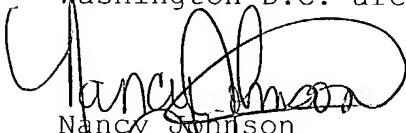
OFFICE OF PETITIONS

Dear Mr. DeBear:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63. However, no action on your part is required for this patent to issue with you as a named inventor.

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